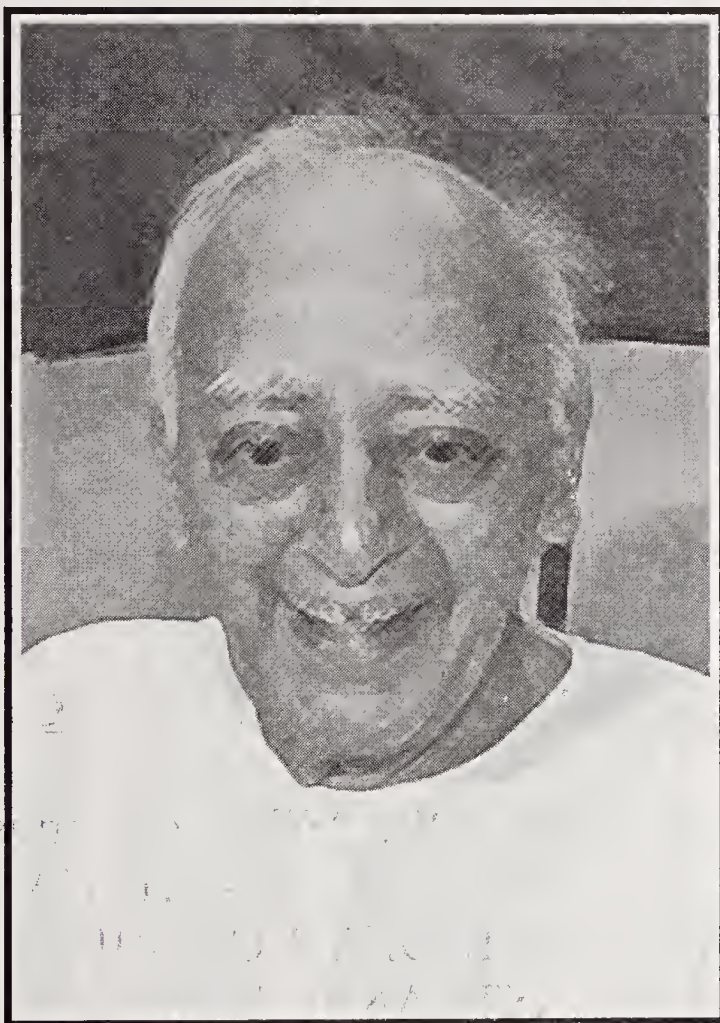


Political Parties As Cornerstones Of Democratic Governance



L C Jain
December 2007



A School for Democracy Publication

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Contributory Price : Rs 20/-

Acknowledgement

The School for Democracy wants to thank Dr. Devaki Jain and the Association of Democratic Reforms (ADR) for enabling the publication of L.C.Jain's Political Parties As Cornerstones Of Democratic Governance. This was earlier circulated in Chennai. This is being printed for circulation on the occasion of 9th National Conference on Electoral and Political Reforms being held in Jaipur, 2013.

This document is an important contribution to the continuing discourse on the critical need for democratic reform.



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OVERVIEW

In this paper we examine

- The general argument in support of political parties as cornerstones of democratic governance
- In particular, as they perform in India, with special focus on internal democracy
- Recent structural changes in the political sphere
- Some issues that need attention in the future

The Freedom struggle paved the way for democratic governance by the people, and after Independence universal adult franchise and Parliamentary democracy were as enshrined in the Constitution of India. Political parties are regarded as cornerstones of democratic governance. **This paper examines the status and health of India's political parties.**

The study is based on the premise that political parties are the most crucial pillars for the principles of democracy to be practiced in real life. They offer conduits for the expression of citizens' views. They enable the pursuit of varied social and political goals as also identities that play out their interests in the legislatures and other public fora. They offer vehicles for the socialization of politics. They throw up leadership.

There are many variations or different ways in which political parties have been birthed or used in the world. These range from single parties to multi-parties. One strong monolithic party is often justified as being representative of the values and ethos of a liberation movement, wherein its application and use in other countries has emerged out of colonization through freedom struggles. Some justify one party regime as more suitable to societies based on tribes or cultural communities. The argument is that multiparty systems fan the fires of competition and divides, which are unnatural.

The landscape examined in this paper however is the multiparty democratic system that is prevalent in India, with special reference to its changing character in recent decades. Another premise, on which the examination is based, is a decline in the internal democracy in Indian political parties. This decline has clogged the

conduits that political parties ideally offer as sources of expression for the citizen, thus reducing the quality of representation and thereby the quality of Indian democracy.

A study of the major national political parties - using indicators such as elections to its office bearers, meetings called of members to discuss issues and views and other indicators of inner party democracy - found that no party came out with a positive report unscathed. There was a pronounced decline on this score in the Congress Party – the oldest and at one time the most respected party.

There have been also some positive developments. One such is that recent electoral outcomes indicate that social groups considered less privileged and “historically - excluded - from power” are emerging as a higher percentage of the elected representatives when compared to the “higher” castes. In turn this is revitalizing the political party as a route to power.

The mandate of 73rd & 74th amendments in the 90's has further challenged the status quo in the highly centralized political parties. These amendments have ushered in lakhs of elected institutions of self-government – nationwide, covering every village and town. They have inducted over three million elected representatives; and because of seat reservations by the amendments, for disadvantaged groups over 45% of the elected representatives are women, dalits and tribals.

Repeat over three million elected representatives - politicians, who represent one political party or the other will provide the mass electoral base for the parties and mobilize votes for them. Thus, over time, they are certain to influence the composition and highly centralized – top down, command structure of the national political parties.

Alas, with the weakening of intra-party democracy there is increasing incidence of persons with criminal antecedents being fielded by party bosses for election to Parliament and State Assemblies. Persons with criminal background who have got elected to legislatures, has assumed alarming proportions. Recognizing the danger to our democratic system of governance, the Supreme Court of India intervened decisively in 2003 to laid down that a 'law-breaker' cannot be allowed to become a 'law-maker'. The apex court accordingly directed the Election Commission to prescribe a declaration on oath by each candidate, along with the Nomination

Paper to the legislative bodies, to disclose their criminal and financial antecedents in a prescribed format.

This initiative of the apex court is unprecedented. It has opened doors wide for civil society initiatives. The foremost of these has been the birth of independent Election Watch Committees in most States. The Election Commission has allowed the Watch Committees (indeed the public at large) easy access to the disclosures made by the candidates with their nomination papers. The watch committees have begun to compile and analyse the information about the candidates and to disseminate it widely among the voters in a constituency.

These civil society networks have begun to attract large number of volunteers including retired judges, administrators, advocates, academicians and activists etc., who had hitherto generally kept away from the political and electoral spheres. Besides, these committees are working in cooperation with the Central Election Commission. Their analytical reports about the background of candidates are also drawing significant media support - vital to reach the citizens.

Thus the menace of decay in intra-party democracy and criminalization of politics is now being challenged, and simultaneously the good health and flowering of our nascent democratic plant is being nursed.

Democracy and Political parties – the Indian scene

This paper argues that political parties are important conduits for true representation of different interests and perspectives of a pluralistic society such as India. Such conduits provide opportunities to debate differences in the legislative bodies, at whatever level - local, state or national, and it distinguishes a democratic system from an authoritarian one.

This paper argues further that politics in most countries is inseparable from political parties. Even in many authoritarian societies, there are often strong and influential political parties, albeit state-sponsored and state patronized, with limited or no competition. Only some remaining Sultanates and unabashed dictatorships banning all parties and political activity are free from the influence of political parties.¹

1. Political Parties and Indian Democracy – A Lok Satta Discussion Paper, 2-3 December, 2005

It is noteworthy, that while there are several discussions on the role of political parties in particular nations, and the importance or not of such parties, there is little theoretical delineation of the conditions under which parties could play a greater role in creating links between social cleavages and the party system. A reason for the poverty of theory in this area is that the literature on party formation, party system change, and party organization does not explicitly address either the role of the state or associational life.²

Indian political parties are not dissimilar to parties elsewhere as far as their basic pursuit of power is concerned. As Max Weber pointed out, "modern forms of party organization are the children of democracy, of mass franchise, of the necessity to woo and to organize the masses, and develop the utmost unity of direction." Ideally speaking parties are expected to uphold ethical principles and values in public life. Parties are also meant to draw the masses into political activity and perform the function of political socialization. Parties also bring together disparate groups of people and a variety of interests, and perform the function of aggregation of groups and interest argues a Lok Satta discussion paper.³

The paper elaborates: political parties are the arbiters of politics and the nation's fate in a true sense. They exercise enormous influence on public discourse. They occupy endless newspaper space and radio and television time. They have a direct impact on public policy affecting millions of lives. Their espousal of causes, and as is seen more often, their opposition to policies affects almost all state actions. Their agitations on real or contrived issues paralyse all economic and social life.

'Democracy performs its most salient functions through parties', says Prof. Pratap B. Mehta. For example, the selection of candidates, the mobilization of the electorate, the formulation of agendas, the passing of legislation – are all conducted through parties. Parties are, in short, the mechanisms through which power is exercised in a democracy. In most democracies, parties perform crucial

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2. Pradeep K. Chhibber, Democracy Without Associations – Transformation of the party system and social cleavages in India, Vistaar Publication, New Delhi, 1999, Chapter one, State Structures, Associational Life, and the Social Basis of Party Systems.
 3. Political Parties and Indian Democracy - A Lok Satta Discussion Paper, 2-3 December 2005

educative functions. Political leaders used to accepting the discipline and sanctity of democratic procedures within their own parties, are also less likely to circumvent democracy when in government. Moreover, protracted intra-party primaries have a profound impact on party members. If the party platform is put up for serious contestation within the party, it is more likely that party members will know why their party has taken the positions it does. It is also more likely that the battle within parties will become something more of a battle of ideas rather than a race for patronage.⁴

Ajay Mehra et al carry the discussion further. Politics is about meeting 'new' unanticipated challenges all the time... However, the challenges emerging out of economic reforms and statutory institutionalization of local democracies are new to the extent that they impact the party politics in a way they have never done since Indian democracy got institutionalized and stabilized... despite unseating of the Congress from the portal of power at the Centre and several States, transformation of the 'core structure' of the party systems in India has not taken place. What, actually has happened is that the essential party system has undergone temporary fluctuations. There are changes in the support bases of 'historic parties', an increase in factionalism in the established parties, an increase in the number of splinter parties, an increase in the number of 'relevant parties', and so on. It may, therefore, be appropriate to conclude that there has only been a 'restricted change' in the party systems in India.⁵

KC Suri provides a fulsome overview of the state of India's Political Parties.⁶ The domain of political parties in India has undergone amazing transformation since the time the country became a democratic republic. With the metamorphosis of the old parties, and in some cases their decline, demise or reincarnation, and the emergence of a large number of significant new parties, the party system has changed beyond comparison between what it was in the middle of the 20th century and what it is now. From a time when the

4. In Reform political parties first, Pratap Bhanu Mehta, 2-3 December, 2005.

5. Ajay K Mehra, D.D. Khanna, Gert W. Kueck, Political Parties and Party Systems, 2003

6. Parties Under Pressure: Political Parties in India since Independence, KC Suri, Prof. Political Science at Nagarajuna University, Andhra, Lokniti, Working paper No. 1, Centre for the Study of Developing Societies (CSDS), 2005

political scientists and commentators had worked out theories of one-party dominance or felt anxious about the conduciveness of such a party system for democracy to blossom, we have now reached a situation where too many parties stampede and jostle for space in the party domain. Some see it as a natural, if not desirable, development due to the dynamics of the world's most populous democracy marked by great diversity, cultural pluralism and economic underdevelopment. Others see in it fragmentation and decay of the polity, and apprehend a danger to democracy, to the unity of the country and the stability of governments.

Indeed the plural and federal character of our polity has been asserting itself in the party domain for quite some time. Of the 50 parties that are now recognized as National and State parties, 44 have been founded after Independence.

Table 1: Number of parties recognized, participated in the Lok Sabha elections and represented in the Lok Sabha after Independence

| Year | Participated in the election | Recognised parties | | | Represented | With at least 10 seats | With at least 1% vote share |
|------|------------------------------|--------------------|-------|-------|-------------|------------------------|-----------------------------|
| | | National | State | Total | | | |
| 1952 | 53 | 14 | 39 | 53 | 22 | 3 | 10 |
| 1957 | 15 | 4 | 11 | 15 | 12 | 3 | 6 |
| 1962 | 27 | 5 | 11 | 17 | 20 | 5 | 8 |
| 1967 | 25 | 7 | 14 | 21 | 18 | 8 | 9 |
| 1971 | 53 | 8 | 17 | 25 | 24 | 7 | 11 |
| 1977 | 34 | 5 | 15 | 20 | 18 | 4 | 8 |
| 198 | 36 | 6 | 19 | 25 | 17 | 7 | 8 |
| 1984 | 33 | 7 | 17 | 24 | 21 | 5 | 12 |
| 1989 | 113 | 8 | 20 | 28 | 24 | 6 | 10 |
| 1991 | 145 | 9 | 28 | 37 | 24 | 7 | 10 |
| 1996 | 209 | 8 | 30 | 38 | 28 | 11 | 13 |
| 1998 | 176 | 7 | 30 | 37 | 39 | 8 | 16 |
| 1999 | 169 | 7 | 40 | 47 | 38 | 11 | 15 |
| 2004 | 230 | 6 | 36 | 42 | 40 | 10 | 15 |

[Source: Data Unit, Lokniti-CSDS, Delhi]

Although the theories of one-party dominant system reigned for two decades after Independence, it can be said with the benefit of hindsight, says Suri, that multi-party democracy had its embryonic

beginnings within itself. This became more evident during the past two decades when National parties were either marginalized or became adjuncts to the State parties in major States of the country. Over the years, most parties have performed the role of ruling as well as oppositional roles at different levels, simultaneously or at different periods. After the flux and uncertainty of the 80s, a coalitional party system set in at the Union level, in which a large number of parties share power. This is seen in the United Front and more recently in the coalition governments of the NDA and the UPA.

Further, most parties have become centered around one leader who exercises absolute control over the party. The puzzle is that while parties have been instrumental in democratizing state and society, they have tended to become internally less democratic. As the capacity of the state to meet these aspirations turned out to be limited, and leaders were excessively interested in perpetuating themselves in power, and amassing wealth through use of their position, it became difficult for parties to manage public affairs. Representative bodies have become arenas of confrontational politics, where rivals launch personal attacks on each other than deliberating upon policies and legislation.⁷

In "Political Parties in Federal India", Era Sezhiyan⁸ reflects on the present status of Political Parties along with their historical background: It is pertinent to recall that even before India's independence political parties had been responsible for awakening people towards the freedom struggle, and participated in the elections to the Central Assembly and the State legislatures. Thus, the existence of party and party activity have become indispensable for the political system, and therefore in the public choice of leaders and the open and organized expression of public interests. It may be said that political parties, with all their deficiencies and defects, are required to democratize the demand functions of the political system.

Sezhiyan traces the historical evolution of political parties in India at some length. The Constitution as given by the Constituent

7. Parties Under Pressure: Political Parties in India since Independence, KC Suri, Prof. Political Science at Nagarajuna University, Andhra, Lokniti, Working paper No. 1, Centre for the Study of Developing Societies (CSDS), 2005

8. Era Sezhiyan, Political Parties in Federal India, Mainstream, Independence Day Special, Vol. XLII No. 34, August 13, 2005

Assembly in 1951 did not contain words 'federalism' and 'parties' anywhere in it. Until the inclusion of the Tenth Schedule by the Constitution (52nd Amendment) Act 1985, there was no reference to political parties in the Constitution. The said Amendment was for disqualification of Members of Parliament on ground of defection. Otherwise, the Constitution provides for election of Members of legislatures and formation of governments at the Centre and in the States, without any reference to the political parties. It is quite possible even now for 543 independent Members to be elected to the House of the People and to enable them to assist in formation of a Government without any party affiliation.

After 1967 general elections, the situation changed with different political parties coming to power in a number of States and eventually in 1997 the Janata Front displaced the Congress at the Centre. Since 1989 no single party has been successful in the elections to command absolute majority in the House of the People with the result that the State parties have begun to play major role in forging alliances and coalitions, before or after the election, in formation of the governments at the Centre. Thus, recognition and acceptance of the federal units and the regional parties are more significant today in the national politics and in formation and maintenance of coalition governments.

The Election Commission (EC) has recognized the political parties in the electoral field from the First Election of 1952 onwards. The Election Symbols (Reservation and Allotment) Order provided for recognition of parties at national and state levels, and allotment of symbols to the candidates set up by the recognized parties. In allotment of symbols, EC requires a specific form to be filled up by the party President about the candidate of her party. Thus, under the election law on the allotment of symbols, the President of a recognized political party has the sole power to certify candidates in the elections for the legislatures and the panchayat institutions. In India, there are regular elections to a large number of positions such as Lok Sabha (543 members), Rajya Sabha (233), (28) State Assemblies and (5) Legislative Councils (4009 and 419 members respectively). In respect of elections to Panchayat Institutions wherein candidates are allowed to contest on Party symbols, there are a total of 532 District Panchayats, 5,912 Panchayat Unions, 95 City Corporations, 1,436 Town Municipalities and 2,005 Nagar Panchayats. Thus, there is a mammoth concentration of power in the hands of the party president

without whose permission no party person can participate on party symbol in an election. Selection of candidates is often described as 'distribution of tickets'.

This brings out a basic contradiction in Indian politics, says Sezhiyan. The country has a federal Constitution whereas the parties participating in the elections and working the federal system of governance are highly centralized and heavily unitary in organization and functioning. Dr. Jekyll in public appearance and Mr. Hyde in the party management! Further, the party leader in India has a stranglehold on the conduct of his party members in legislature through issue of whips and directives in voting on the motions in the legislatures. The Members are also directed to vote in accordance with the party whip in the elections to the State Legislative Council and to the Rajya Sabha and to the posts of President and Vice-President, etc. Any Member who does not obey the 'whipocracy' of the party is considered as a defector and is liable to be disqualified from being a Member of the House. This is also in contrast with freedom enjoyed in United State and in UK where an elected Member is free to vote without any compulsion of the party and punishment under law.

The anachronistic centralization of power in the hands of party leaders has been severely castigated. According to C. Subramaniam the first step in the re-engineering is for party high commands at the national level not to continue to consider themselves as the unchallengeable czars or dictators, imposing their will and judgement on the constituent units which ought to be permitted to act in their discretion suited to local circumstances and requirements. "It is idle to talk of decentralization or devolution without discarding the anachronisms of an earlier era. The party headquarters should transform their role from being one of authoritarian know-alls, handing down standardized prescriptions for the variegated mosaic of the polyglot polity that is India, to that of a catalyst, coordinator, umpire and guide, leaving the constituent units, which are closer to ground realities to take decisions in their best judgement in line with those realities and as per non-mandatory guidelines or codes formulated at the national level. Thereby, the principle of acting locally and thinking nationally will come into play in the management of political parties".⁹

9. C. Subramaniam: National Symposium on Re-orienting Federalism, December 3, 1996, Chennai.

Ramashray Roy holds that germane to the discussion of distortions incapacitating political parties are changes that relate not just to the emergence of a multi-party system resulting from the demise of the one-party dominance system. Also important in this connection is the question of how these changes as reflected in the structural properties of political parties, help or hinder the vitality and vigour of the political system installed to protect and promote the well being of the people. This means that it is necessary, first, to locate political parties in the larger context of the character of the political system that India has adopted. And which the country has seen as befitting to its genius and aspirations. In view of this consideration, it becomes necessary to explore a set of three factors impinging on the question of how to re-form political parties so that they can play their role in a way that promoted good governance as a precondition of realizing the goal of development informed by social justice. These factors are: (1) the place and role of political parties in the adopted system of governance; (2) factors associated with the emergence of a multi-party system; and (3) the structural properties of political parties.¹⁰

There is a currently fashionable view, says Prof. Pratap Bhanu Mehta¹¹ that India's diversity will necessarily entail a large number of political parties. But the core assertion that the number of political parties has some relationship to India's diversity bears more critical examination. There are many political parties and a good deal of social diversity. But it is too quick to assume that one causes the other. Indeed, the internal organizational weaknesses of political parties make Indian democracy less effective. If we were a little self critical about Indian democracy, the proliferation of political parties would appear more as a paradox than as a necessity. The paradox is that the number of political parties has no bearing on the diversity of views represented. Many observers think that most political parties in India are alike on many counts. The ideological differences between most parties are minimal and they are likely to adopt the same mix of policies when in power.

Mehta adds: The fragmentation of the party system and the

10. Ramashray Roy, Making the Party System in India Work, Ed., V. A. Pai Panandiker and Subhash C. Kashyap, in Political Reforms: Asserting Civic Sovereignty, Konark Publishers, New Delhi, 2001.

11. Pratap Bhanu Mehta, Political Parties – Tackle Disarray, Factionalism, Tribune, September 24, 2005.

prospect of perpetual coalition governments; the weakening of democratic accountability despite high turnover of incumbents; the fact that political parties are unable to transcend their narrow social biases and become parties of principle; the diminishing quality of public deliberation in our politics – all have their roots, less in the failure of the Constitution than in the party structures that have grown under it. These outcomes are, to a considerable degree, produced by poor institutionalization of intra-party democracy.

It is evident that the system of democratic governance as envisaged in the Constitution can be worked only with the aid of political parties. The health of the political parties is thus not a private matter but of the most serious concern to the common man. And, yet today most of Indian political parties are like a closed box. Their inner working is shielded from the public eye given declining intra party democracy. All the more reason and urgency for us to pursue the promising developments and the enabling steps identified here for revitalizing the political parties.

A fairly forgotten aspect is the issue of values and code of conduct. These were important principles in way parties organized themselves in the immediate post-independence era. In fact the Congress had laid down as early as in 1937 certain Principles and code of conduct:

Governing Principles enunciated by Gandhiji:

Before coming to the code, it is relevant to recall the governing principles emphasized by Gandhiji for observance by those engaged in public life and political action:

- Means are inseparable from ends
- Evil means cannot lead to good ends
- No politics without principles
- Not all politics is power politics
- Democracy requires that the people should depend as little as possible on the State

Congress Party Code (1937) for its legislators:

In March 1937, the Congress Working Committee (CWC) laid down that "in the event of acceptance of ministerial offices, the Congress legislators should not continue as members of the Congress executive committees. Parliamentary work, it said is but a minor part of the national programme of the Congress, the national programme

requires Congressmen to be engaged in constructive work (eradication of untouchability was particularly emphasized.)

Proceedings of the CWC of that period show that Congress ministries in the provinces were required to "implement the Congress programmes" and used to present progress reports to the CWC. Often, the party reprimanded them. Sample this resolution of the CWC "Congress ministries must guide themselves by the principles of civil liberty and democratic approach of persuasion rather than coercion."

The code included rules for personal conduct of party legislators (MLAs).

All Congress legislators were to "wear khadi".

They could not be absent from the Assembly except with leave.

Individual legislators will have no official contacts with Government, other than those resulting from their duties as members, or as authorized by the party.

The Congress as a whole was ordained by the CWC to be a "disciplined body".

II

Indian Political Parties: Intra Party Democracy

At the start, it's important to examine the principal features of the main national and regional political parties. The chart here depicts the comparative provisions of these parties: relating to their constitution, aims and objects and practices. The parties included are Bharatiya Janata Party; Communist Party of India (Marxist); Indian National Congress; Communist Party of India; Telugu Desam Party. Copies of the constitution and rules of these parties are given in the volume related documents.

Some important aspects of each Party compared are: qualifications for members/office bearers; frequency of elections required to be held for high command/office bearers; accountability of the party to its members: Are programmes of action drawn up by the Party approved by the members? Are members consulted formally for selection of candidates to legislatures and public offices and reserved constituencies? Is the annual report of the party submitted to members? What are the provisions relating to raising of funds, accounts/audit.

The most comprehensive study of internal democracy¹² in major political parties covered structural - functional aspects of four major political parties in Andhra Pradesh namely, Congress (I), TDP, BJP and CPI (M). The study described the actual process of enrollment and renewal of membership; The functioning of structures of these parties has been analysed in terms of formation of committees and elections to the executive bodies of these committees vis - a - vis their status as per the party constitution; how is funding done? The study also delved into several other aspects such as leadership choices, spread of ideology among the cadres along with the steps to implement their own manifesto.

The study concludes that all the four parties are essentially centralized, remote from the rank and file and not so democratic in decision-making. Moreover, they do not comply with their own constitution in many respects.

12. K. Venugopala Rao and Pramod Kumar Mohanty, "Internal Democracy of political parties: A case study of four major parties in AP, 4th March 2000

The study of Congress (I) suggests "that it will have to undertake a thorough overhaul of its organisational set up, if it wants to rejuvenate itself. For that to happen, Congress has to bid adieu to the top-down style of functioning and transform itself into bottom-up organisation."

On TDP the study shows "that election to party posts becomes unanimous in most instances owing to the intervention of senior leaders. There is a need to allow the party cadres a freehand in this regard. The study points out that the procedure of selection of party nominees to elected public offices should be made more transparent and democratic by involving party cadres and allowing less room for manouvre and manipulation by senior leaders, the party president in particular. The party is highly centralised in funding matters."

Findings on BJP show "that the party needs more decentralised procedure for the selection of party candidates to elected public bodies, and more intensive and transparent involvement of the party cadres. It should allow its members to freely elect their leadership instead of present preference for unanimous choice through the intervention of senior party leaders. BJP needs to publicise its membership rolls and make them easily accessible to public. Availability of party constitution needs to be more widespread."

Findings on CPI (M) show "that it needs to make its secret membership rolls public. Party leaders need to be less dictatorial in party matters and allow more involvement of cadres in decision making, in organisational elections, in selection of candidates to public offices etc." The text of the Andhra study is included in Volume Two: Related Documents.

In general, political parties in India lack in all, or most aspects, democracy in their internal functioning. The personalised party behaviour needs to be changed to an institutionalised behavioral pattern. Political parties in India need to be institutionalised. They are the barometers of the state of democracy, and act as legitimate players of politics in a state. They perform the crucial function of expressing people's will, and give legitimacy to the political institutions and their actions. However, all this is possible only if the political parties are transparent/ internally democratic.

Recently, another study had a close look at the premier party: the Indian National Congress (INC) specifically in Belgaum in Karnataka where an acknowledged study of INC was conducted by

Myron Weiner some 40 years ago. Two political scientists visited Belgaum in 2005 to look at the present state of affairs of INC and compare with what was obtained 40 years ago, which has been treated as a benchmark. The text of this study is included in the volume: Related Documents. The main conclusions of this study of Belgaum are:¹³ practically all but one person interviewed agreed that internal democracy was being eroded in the Congress Party, especially since 1979 during the Devaraj Urs regime, and that today the party meant, not the organisation but the MLAs, MPs and Ministers belonging to the district.

Even the dissenter, as we shall see, made statements contradicting his own assertion. Even a physical state of the party office reinforced the fact that the party has lost its institutional identity. The party office consisted of two nondescript rooms with no furniture. The party had no library, though it received newspapers, which were read by stray party workers. There were no paid staff and there was no systematic record keeping. There was no research or public relations wing. An assistant to the secretary of the District Congress Committee sat in the office, and he did not seem to have kept any regular hours.

The party office looked forlorn and forsaken. In short, the party did not seem to have any physical identity.

A very resourceful journalist we interviewed pointed out that the party had not lost its image as a common man's party as against its rivals. He gave an example to make the point. This related to an ordinary cobbler, literally working by the roadside, being picked up by the party. The journalist pointed out that only in the party could an ordinary cobbler manage to become an MLA and eventually a Minister. The same journalist also pointed to the paradox of being a party of the poor and the rich simultaneously. He told us how the parties promoted interests of rich and powerful lobbies like the lobby representing the owners and directors of sugar factories and the education lobby represented by organisations like the KLE society. Showing remarkable political insight he argued that in these cases it was not the lobbies who controlled the party, and that the party was an indispensable instrument they relied on to protect and promote their interests. In academic terms, it was a case of politics promoting economics and not economics promoting politics. What this amounted to was saying that politics was a means towards economic aggrandizement. People entered politics to skim off economic benefits.

13. Party Democracy and De-Institutionalization: A case study of Belgaum district Congress' by Dr. K Raghavendra Rao

A recent volume of essays in memory of Myron Weiner has reflected on his propositions.¹⁴ Some of the reflections are pertinent: the rising signs of India's democratic stability had already begun to defy the existing conventional theory that democracies could be stable only in the richer world, that there was a undeniable positive relationship between wealth and democracy.

Weiner insightfully made two arguments: "(i) that while, paradoxically enough, the almost hegemonic, though institutionalized, dominance of the Congress party had a lot to do with the relatively smooth functioning of Indian democracy, its true test would be how the Congress party dealt with the opposition parties when they became strong enough to be effective challengers to Congress rule; and (ii) that India's tradition of confrontational mass politics was a double-edged sword, infusing as it did the Congress party with a great fighting spirit during British times, but its continued and wider use after Independence was beginning to overburden the polity's governance capacities. In a spirit of scholarly clairvoyance, supported later by the coalitional culture of the 1990s, Weiner argued that a bargaining culture in Indian politics – between political parties, between interest groups and governments – would have to emerge for democracy to stabilize.

Lucian Pye in his essay in the same volume takes Weiner's first argument even further. He suggests that Weiner's focus on how the Congress dealt with opposition parties was crucial to understanding the longevity of democracy in the developing world in general, not simply in India. The second of Pye's arguments highlights Weiner's explanation of why the Congress party was successful for more than two decades. "The key was a successful mediation between the centre and localities" - a point that, according to Pye, is also applicable outside India, especially to East Asian democratization.

But if India was to become a democracy the key question was: whether a coherent opposition would emerge and provide the element of competition essential to a democratic polity? Weiner greatly advanced our knowledge by seeking to understand party-building in India by carefully examining the organizational basis of its (Congress Party) strength. He analyzed in great detail the operations of the

14. India and the Politics of Developing Countries, Essays in Memory of Myron Weiner, Edited by Ashutosh Varshney, Sage Publications India Pvt Ltd., New Delhi, 2004

Congress party at the district level (including Belgaum) in five different states. He found that Congress had deep and stout roots because the local organizations were committed to recruiting and training new members, and even more important, the local party bosses understood the needs and interests of the people of the district. They were thus able to champion the people's immediate concerns even while responding to the national policies of the central authorities.

Although Weiner's focus was on the strengths of the Congress party, "his findings were later to provide a ready explanation for the decline of Congress when Indira Gandhi broke away from¹⁵ those established arrangements and sought to bypass the party bosses at the state and district levels and to manage the entire party from the centre. The stresses and strains that the local bosses had successfully dealt with through various trade-offs and patronage arrangements were now directed to the top leadership without any tempering or modifying influences. What had been diffused at the local level by knowledgeable and skilled local leaders were now irreconcilable, zero-sum confrontations at the national level" (Hansen, 1999; Varshney, 1998).

The process of decline of intraparty democracy could be said to have been hastened when in 1969 Indira Gandhi broke up the historic Indian National Congress in one fell swoop without invoking the party for a like AICC. The segment of the party which she took over came to be known as Congress (Indira). It did not enroll any members and froze elections to all its organs. Thereafter nominations to party organs made from the top at all levels became the rule. All party candidates to Central/State legislatures were also nominated from the top.

The emerging shape and state of the Congress Party was described by her successor Rajiv Gandhi at the centenary session on December 28, 1985 in Bombay:

What has become of our great organisation? Instead of a party that fired the imagination of the masses throughout the length and breadth of India, we have shrunk, losing touch with the toiling millions. It is not a question of victories and defeats in elections. For a democratic party, victories and

15. K. Venugopala Rao and Pramod Kumar Mohanty, "Internal Democracy of political parties: A case study of four major parties in AP, 4th March 2000

defeats are part of its continuing political existence. But what does matter is whether or not we work among the masses, whether or not we are in tune with their struggles, their hopes and aspirations. We are a party of social transformation, but in our preoccupation with governance we are drifting away from the people. Thereby, we have weakened ourselves and fallen prey to the ills that the loss of invigorating mass contact brings.

Millions of ordinary Congress workers throughout the country are full of enthusiasm for the Congress policies and programmes. But they are handicapped, for on their backs ride the brokers of power and influence, who dispense patronage to convert a mass movement into a feudal oligarchy. They are self-perpetuating cliques who thrive by invoking the slogans of caste and religion and by enmeshing the living body of the Congress in their net of avarice.

For such persons, the masses do not count. Their life style, their thinking - of lack of it, their self-aggrandisement, their corrupt ways, their linkages with the vested interests in society, and their sanctimonious posturing are wholly incompatible with work among the people. They are reducing the Congress organisation to shell from which the spirit of service and sacrifice has been emptied.

Thirteen years later in 1998, Jayaprakash Narayan, Campaign Coordinator, Lok Satta captured how all political parties had abandoned intraparty democracy.¹⁶

Most major parties have constitutions which prescribe some form of election for leadership. However, elections are rarely, if ever, held. Congress Party conducted organizational elections only once in the last four decades. When they were conducted, there were serious incidents of bogus voting, violence and rigging; there were countless allegations and counter allegations, and a few election matters went to court. Even with packed delegates, regular election to party

16. Jayaprakash Narayan, Campaign Coordinator, Lok Satta, Political parties and Indian Democracy, Narla Memorial Endowment Lecture, Dr. B. R. Ambedkar Open University (Hyderabad 1998) as cited by K. Venugopala Rao and Pramod Kumar Mohanty in Internal Democracy of Political Parties: A case study of Four Major Parties in AP, 2000

presidentship was held only twice in 46 years. On all other occasions, there was only anointment of an unelected absolute leader, or installation of a puppet president.

Once in office, the power of leadership is absolute and control of resources is awesome. Any potential dissidence or principled opposition is instantly snuffed out. Suspension, expulsion, instant removal from offices, denial of party tickets, all these and more weapons are fully available to leadership if there is any whiff of opposition. All positions in the regional and local units are nominated by the party leader.

This absolutism practiced over the years by the Congress party leadership, disregarding all canons of democracy, has sadly become the norm for most other parties with certain minor variations. Membership rolls are not available, and when prepared are often spurious. Elections are not held, and if held are rigged. Musclemen often take over party meetings and conferences at various levels, and fisticuffs and violence are quite common.

All funds are collected clandestinely and spent at will to further augment personal power. When a party is elected to office in any State, the legislature party leadership, and formally anointed in a farcical 'election'. Often sealed covers are sent indicating the name of the person chosen as Chief Minister by the party leadership. Even candidates for public office in local government elections and cooperatives are decided by the party's central leadership.

In short, political party functioning has become totally autocratic, oligarchic, unaccountable and undemocratic. The whole political process and all democratic institutions are systematically subverted.

The consequences of evaporation of intra-party democracy, for instance in the Congress Party, are revealed in startling evidence of secret confabulations by a few in choosing party nominees as successors even to the Prime Ministerial post. Evidence throws light on what happened behind the scenes when the party had to choose a successor to Nehru and later a successor to Indira Gandhi, as also the way Emergency was imposed in 1975.

Successor to Nehru

Kamaraj Plan is a familiar term. But little is known of the real author, and the underlying motive. Light is thrown on all these aspects in a biography of Indira Gandhi by Pupul Jayakar, acknowledged friend and confidant of Indira Gandhi.¹⁷

On his part, the Prime Minister was turning to his daughter on virtually all the complex issues that were brought to him. Her years as Congress President had convinced him of her shrewd political sense, her passion, energy and determination. So in the summer of 1963 a move was started, supported by Indira, amongst the young ginger group in the Congress party, to revitalize and bring new blood into the party's working. Shrouded in secrecy, the Kamraj Plan was discussed by K. Kamraj and Nehru in the first few days of August 1963 and endorsed by the Congress Working Committee (CWC) on 9 August on the basis of the slogan "Party before Post". It was a powerful cry for senior Congressmen who could do little to obstruct suggestions to remould the structure of the political leadership.

The suggestion to the Working Committee was that some of the senior leaders should be asked to resign from chief ministerships and Central ministerships and work at the grassroots level, to the very people who had started to whisper behind the Prime Minister's back were the first to suggest that he was indispensable. The decision as to who should be asked to quit was left to the Prime Minister. None of the senior leaders entrenched at the state and Central level appeared to have taken the matter seriously. Suddenly, on 25 August, the plan was announced. Six chief ministers, the strongest in the country, and six Cabinet ministers at the Centre, were asked to resign and take up Congress party work. Included in the list were Kamraj, Morarji Desai, Lal Bahadur Shastri, Jagjivan Ram, Biju Patnaik of Orissa, S.K. Patil of Maharashtra and C.B. Gupta of Uttar Pradesh.

The whole operation had a rapier-like thrust, which could not possibly have been the inspiration of a sick, weary Prime Minister. It was not his style, and lacked the down-to-earth homespun manner of Kamraj, a heavyweight political strategist who trod cautiously, sought consensus, was adamant only when he was sure of his position. When asked as to who took the final decision to draw up the list and select the names of the ministers to be axed, both Nehru and Kamraj denied responsibility. The strategy, the timing, the speed with which the

17. Pupul Jayakar, Indira Gandhi – A Biography, Viking, New Delhi, 1988, 1992

whole operation was enacted, the lack of consultation with senior colleagues, suggests Indira's signature. The voice was the father's but the strategy was the daughter's. She was, at the time, acting as her father's conscience, a guardian of his doorways. In retrospect, it hardly seems plausible that Jawaharlal Nehru had, on his own, suggested the names of the leaders to be asked to quit without consulting his daughter. Other aspects of the political situation at this time seem to underline the above contention.

Indira had been complaining to her friends of the attempts being made to destabilize her father's position and to dislodge him. Suspicious, unable to trust any of her father's colleagues, she had once again influenced her father to act with strength. At one stroke all the leaders inimical to Nehru were deprived of their power base and removed from positions from where they could step into the Prime Ministership. Weaker men were placed in charge of state governments while all power vested in the Centre. Perhaps this was the first move to centralize power and to deny any single person a claim to the Prime Ministership after Nehru.

What was Indira's purpose? Was it to drain power from the political leadership in the states and concentrate it at the Centre in the hands of the Prime Minister, or to clear the way for her own Prime Ministership? It was unfortunate for Indira that the follow-up action necessary to create a new power structure, could not materialize because of her father's sudden illness, barely four months after the Kamraj Plan had been put into action.

Indira was in Africa in late December. On her return she found her father ill with kidney trouble. He was advised complete rest. Nehru insisted that important files should be brought to him, but they were channeled through Indira.

She acted as a conduit between the ministers and her father. 'People do not realize how much Papu depended on me during this period'.

The "Syndicate"; a loose body of Congressmen made up of all shades of opinion, from all parts of the country, and critical of Nehru during his last days, chose Shastri as the next Prime Minister.

Successor to Indira

Insight into the process leading to the installation of Rajiv Gandhi as Prime Minister after the death of Indira Gandhi is provided

by P.C. Alexander who at the time of Indira's death was principal secretary to the Prime Minister. Alexander, according to his own admission, did all he could to breach all precedents and established political processes of the Congress party to bring about installation of Rajiv Gandhi as Prime Minister in spite of admitting to himself that he had in fact ceased to be the principal secretary or hold any authoritative position the moment Indira Gandhi died:¹⁸

On that particular day many important persons were out of Delhi; the President was in Mauritius, Home Minister Narasimha Rao in Andhra Pradesh; and Rajiv Gandhi and Pranab Mukherjee in Calcutta.

My first act was to clear the verandah in front of the operation theatre on the eighth floor, allowing only the senior ministers and a few close friends of Indira Gandhi to remain.

It was my firm conviction as soon as I received the news of the tragedy that the most feasible arrangement would be to have Rajiv sworn in immediately as Prime Minister without going in for an interim Prime Minister. I held hurried consultations with Shivshanker and B. Shankaranad, senior ministers in Indira Gandhi's cabinet, who had rushed to AIIMS. They both expressed their strongly held view that Pranab Mukherjee should not be sworn in as interim Prime Minister, although he was high up in the hierarchy. Indira Gandhi had not formally nominated anyone as second in command in her cabinet though, informally, Mukherjee occupied such a position. By then chief ministers from the Congress-ruled states had arrived at the Institute and were standing together on the eighth floor in one section of the verandah. I knew that a final decision on the succession issue could be taken only by Rajiv who was already on his way to Delhi from Calcutta.

However, I thought it would be prudent to quickly ascertain the views of the chief ministers, the ministers and other senior members of the party present there on the question of succession. I sought the opinions of N.D. Tewari (chief minister of Uttar Pradesh), Janaki Ballabh Patnaik (chief minister of Orissa), Bhajan Lal (chief minister of Haryana) and Shiv Charan Mathur (chief minister of Rajasthan) and

18. P.C. Alexander, *Through the corridors of power – An inside's story*, Harpers Collins, New Delhi, 2004

discussed with them the idea of having Rajiv sworn in as Prime Minister, thereby discarding the option of having an interim Prime Minister. All of them enthusiastically agreed with this idea. I then went to another section of the verandah and highlighted the salient points, to those present there, of my brief talk with the chief ministers. I found that everyone was in agreement with the suggestion that Rajiv should be administered the oath forthwith. (I was convinced that an interim arrangement with Pranab Mukherjee as Prime Minister, even for a very brief period, would not be acceptable to any senior Congress leader present at the institute). Within a few minutes, Narasimha Rao reached the eighth floor. We embraced each other, without being able to control our tears. I told him quickly that there was unanimity among all the chief ministers and the ministers present at the Institute that Rajiv should be sworn in directly as PM and he fully endorsed the proposal.

I quickly told Pranab Mukherjee that everyone had agreed that Rajiv should be administered the oath of office as PM without going in for an interim arrangement. Without any hesitation, Pranab Mukherjee gave his assent to this suggestion. A group of individuals, with malicious intent, later spread a canard that Pranab Mukherjee had staked his claim to be sworn in as interim PM and had to be persuaded with great difficulty to withdraw his claim. The obvious objective was to create discord between Rajiv Gandhi and Pranab Mukherjee. But I should record here the true fact that Pranab Mukherjee had readily endorsed the suggestion I made to him.

While Rajiv was inside the room with Sonia, a serious controversy was brewing among the persons standing on the verandah of the eighth floor. Arun Nehru took me aside and told me in a very serious tone that Rajiv should be sworn in immediately by the Vice-President without waiting for the President's arrival, scheduled for 5 p.m. Arun Nehru confirmed that he had obtained the approval of all the ministers present there as also that of the Lok Sabha speaker, Balram Jakhar. Parthasarathi and many others also strongly supported the proposal.

I was quite surprised to find that Arun Nehru and almost all the dignitaries present on the eighth floor believed that a swearing

in by the Vice President was necessary to ensure Rajiv's assumption of office without any complication. They were of the view that President Zail Singh could not be trusted to accept Rajiv's nomination without a formal election by the congress parliamentary party. They were genuinely apprehensive that because of the recent deterioration in the relations between Zail Singh and Indira Gandhi, he might use his position to prevent Rajiv from becoming Prime Minister and may administer the oath to Pranab Mukherjee as interim Prime Minister. Such a development could lead to serious difficulties as far as Rajiv's election later was concerned. I was more aware than anyone else present on the eighth floor of AIIMS at that time about the gravity of the strained relations between Indira Gandhi and Zail Singh. However, I was quite convinced that it would be ethically very wrong and politically very unwise if the President were made to feel that he had been deliberately denied the exercise of his most important responsibility, namely, choosing the Prime Minister and administering the oath of office to him. I was seriously worried that if Rajiv were administered the oath by the Vice-President, Zail Singh would view this step as a challenge to his authority and may even take the extreme step of not recognizing the oath administered by the Vice President. Anyway, the President was on his way back to Delhi as quickly as possible. Zail Singh had not authorized the Vice-President to exercise his functions in his absence.

While such thoughts were whirling around in my mind, I was also quite conscious of the fact that I had no official standing or authority to enforce my own views on the late Prime Minister's senior colleagues in her party. Whenever I had done so in the past, I did so with the confidence that I had the backing of the Prime Minister, but, theoretically, I had ceased to be principal secretary the minute Indira Gandhi was no more.

I decided to take a determined stand on the issue of administration of the oath of office, as I wanted to ensure that the correct procedures were followed in such a crucial matter. No one at that time questioned my authority to press on with this line of action because the individuals present there always had great regard for me and trusted my sincerity. I turned to

Shivshankar, the Union law minister, and asked whether or not he agreed with my views. He replied that he agreed that my stand was legally valid, but he was not prepared, at that point of time, to support it. Everyone knew very well that there was no time for holding a meeting of the Congress Parliamentary Party to formally elect Rajiv as leader. Recognising this practical difficulty, I suggested that the Congress Party's Parliamentary Board could be ratified by the CPP later. However, Arun Nehru, supported by a few like minded individuals, was quite firm in his stand that no risk could be taken in this matter. He asked me, in a very defiant tone, as to who would accept the responsibility for the consequences if Zail Singh refused to administer the oath to Rajiv. My immediate response was that the person who was the most concerned about, and who would be most affected by, this decision was Rajiv and, first of all, his own wishes in the matter ought to be ascertained. Arun Nehru declared that he would go into the room where Rajiv was standing with Sonia and talk to him, but I preempted him and I quickly went inside the room.

He released himself from Sonia's arms and turned around to talk to me. Knowing that I would not have disturbed him unless the matter was very urgent and confidential, he quickly led me to the bathroom attached to the room so that we could talk without being noticed by anyone else who may enter the room.

I made a beeline for 1, Akbar Road to meet Narasimha Rao and Pranab Mukherjee. All the ministers in Indira Gandhi's cabinet were present at 1, Akbar Road and I informed them about Rajiv's decision that he wanted all of them reinducted and requested them to be present at Rashtrapathi Bhavan at 6 p.m. for the oath taking ceremony. As swiftly as possible, the Congress Parliamentary Board passed a resolution nominating Rajiv Gandhi as the party's candidate for the post of Prime Minister and recommending his appointment for the consideration of the President. Rajiv had decided to wait at AIIMS for the arrival of the President as the news had been flashed that Zail Singh would be reaching the institute directly from the airport. I went along with Narasimha Rao and Pranab Mukherjee in the same car to Rashtrapati Bhawan and

Buta Singh (another minister) followed us in another car. The plan was that Narasimha Rao and Pranab Mukherjee would meet the President as soon as he reached there from AIIMS and present to him the letter officially approved by the congress parliamentary board.

Suddenly, a totally unexpected development took place. At the inner entrance to the Rashtrapati Bhawan, our car was stopped by a junior functionary. Although he recognized me (sitting in the front seat) and also the home minister and the finance minister (sitting in the back seat), he made it a point to glance through the document that contained the official list of visitors who were scheduled to meet the President that evening. Since our names were not on the list, he refused to let our car in. I stepped out of the car to reveal my identity, and brought to his notice that two senior ministers were also present, in the car. He replied that he knew our identities but he had no authority to let us in. My nerves were already on edge as a result of the severe mental strain imposed by the last few hours and I shouted at the top of my voice asking him to open the doors instantly to let our car in. He was, of course, merely doing his duty, but he did not appear to realize that that was not the occasion to satisfy the formalities for taking an appointment with the President, particularly when he knew who the three of us were. The man who had blocked our car then immediately signalled the sentry to open the gate and we went inside. The cabinet secretary later told me that he could hear my voice even from his office; probably my rage had got the better of me.

My top priority was to draft a condolence resolution to be moved at the first meeting of the Council of Ministers. While I was preoccupied with it, Rao Saheb (Cabinet Secretary) darted in to tell me that he had just received a call from Rajiv to the effect that only Narasimha Rao, Pranab Mukherjee and Shivshankar were to be sworn in as ministers on that day; further expansion would be made after a day or two. This sudden change on Rajiv's part led to a somewhat embarrassing situation because all the ministers had already arrived at the Rashtrapathi Bhavan and were waiting to be sworn in at 6 p.m.

Zail Singh reached Rashtrapathi Bhavan along with Rajiv

within a few minutes of these fast paced events; Arun Nehru and R.K. Dhavan also arrived there close on their heels. I met the President in his office immediately on his arrival and informed him that Narasimha Rao and Pranab Mukherjee were waiting to meet him. They were immediately called in and they gave the letter to the President. I came to know later that the President, as soon as he had arrived at AIIMS, had informed Rajiv that he wanted him to be sworn in as Prime Minister without going in for an interim arrangement. Thus, all apprehensions and misgivings on the part of the Congress leaders had proved unwarranted.

The news of her death had not yet been officially announced. It was decided that the announcement should be made immediately after the cabinet meeting.

After the VIPs left, Rajiv told me that he wanted me to continue as his principal secretary.

When he asked me as to what course of action needed to be taken, I replied that he should issue orders making the Central Government officials directly responsible for carrying out the relief work. I pointed out that the Delhi Administration was just not capable of handling such a massive exercise. I assured him that if he issued such an order, a committee of secretaries could be constituted as a 'Special Action Group' under the direction of the cabinet secretary. Such an arrangement, I emphasized, would help a great deal in bringing immediate relief to the beleaguered victims. He promptly agreed with my suggestion.

In spite of all the arrangements made and all the precautions taken by the Central authorities for ensuring the security of the Sikhs affected by the riots, reports of violence against them continued to pour in from several parts of the capital.

Treatment of opposition leaders

Let us now turn to BG Deshmukh, Cabinet Secretary during Rajiv Gandhi's Prime Ministership who throws light on a related aspect – treatment of the opposition parties and leaders by the Prime Minister. He also provides evidence of senior bureaucrats playing a proactive political game involving even the President of the Republic.¹⁹

19. B.G. Deshmukh, A Cabinet Secretary Looks Back – From Poona to The Prime Minister's office, HarperCollins Publishers, New Delhi, 2004

...Rajiv Gandhi apparently made the same mistake that President Gorbachev made when he tried perestroika in Russia. He could not master his party's political machinery and mould it in his own way. No doubt Rajiv Gandhi did try, as exemplified by his famous speech in Bombay in January 1986 at the centenary celebrations of the Indian National Congress, when he warned the powerbrokers in the party to behave or move out of his way. But the party machine was too strong for him. As a matter of fact, the party that he inherited was not in good shape at all. The Congress had been on a downward slide since 1975.

Added to this was his attitude towards the opposition parties. His opinion about Jyoti Basu, chief minister of West Bengal, may not have been so unfavourable but he had little respect for N.T. Rama Rao, chief minister of Andhra Pradesh, Chaudhary Devi Lal, chief minister of Haryana, or Karunanidhi, chief minister of Tamil Nadu whose DMK party completely routed the Congress in the state elections. At National Development Council meetings there would be heated exchange of words and sometimes unpleasantness too. The opposition chief ministers would complain bitterly about the central government's direct interference in state affairs. Rajiv Gandhi took all these chief ministers head-on together. Prudence would have demanded that he handle them with courtesy and gentleness or at least separately and not together; but apparently he could not do so, perhaps because the thought that his huge majority in Parliament had given him an overwhelming popular mandate or he had been given wrong advice by his political aides. At one National Development Council meeting the unpleasantness reached such an extent that the opposition chief ministers walked out. Highly upset, Rajiv Gandhi asked the officers of those states to leave the meeting as well.

He did not show the necessary respect and consideration for parliamentary proceedings. He was curiously unwilling to attend Parliament sittings unless absolutely necessary.

To take care of a rather difficult chief election commissioner, Peri Shastri, the government suddenly appointed two additional election commissioners who had the full confidence of the government. On 16 October a cabinet meeting decided

that elections should be held in the third week of November, that is, on 22, 24 and 26 November. Seshan as cabinet secretary should have conveyed the decision to Peri Shastri. But Rajiv Gandhi said, 'Let us not send the bull into the china shop. Let Deshmukh go and settle it in his own quiet way'.

Peri Shastri was agitated at being dictated to by the government in fixing the dates for the elections. There was a sharp exchange between us and tempers rose. After he had blown off steam and quietened down I convinced him that the government was right in suggesting the dates as it had to make various administrative arrangements. Ultimately, he issued a notification for elections as suggested by the government.

After the elections were over and the counting was to start there was a strange incident. Doordarshan had as usual arranged for coverage by Prannoy Roy and his colleagues from the first evening onwards. Suddenly that afternoon, Murari, the information and broadcasting secretary called me at home in an agitated mood because Vincent George, the private secretary to the Prime Minister, had instructed him to cancel this programme as desired by the Prime Minister. Obviously the Congress had not done well in the polls and Rajiv Gandhi had been influenced not to have any Doordarshan coverage to highlight this. I was taken back but told Murari not to take any action and meet me at the Prime Minister's residence at 7 Race Course Road. I spoke to Rajiv Gandhi giving my frank opinion that his directions should be withdrawn. He told me to consult H.K.L. Bhagat, but I said this was not necessary as prima facie cancellation of this programme would create a stinker of a row and would be counter-productive. He then said that I should decide and take action. I told Murari to go ahead with the programme and also sent a message to Suman Dubey who was then his additional secretary.

I first heard about Giani Zail Singh when I came to Delhi as additional secretary in the home ministry in 1978. My joint secretary (Police) used to brief me about the activities of the Congress party in general, and Zail Singh, in particular, in Punjab. The general impression was that the Congress was playing a dangerous game in Punjab by patronizing Bhindranwale, a Sikh Jatha leader as a proxy front against the

Akalis who were in power in the state at the time. The Congress party did not know that they were creating a Frankenstein's monster that would eventually come to haunt them.

The relationship between the President and the Prime Minister had already started deteriorating. The Giani somehow came to believe that it was he who had made Rajiv Gandhi Prime Minister and the latter should therefore consult him on all major matters. Merely showing him courtesy and respect was not enough. On the other hand, Rajiv Gandhi rightfully thought that he had become Prime Minister on his own and in his own right and nothing more should be expected from him other than the proper relationship between a President and a Prime Minister.

The background is that when the controversy between the President and Prime Minister was reaching a flash point, I conveyed to him that in case he were to take the drastic step of removing the Prime Minister, he would definitely face a motion of impeachment in Parliament. His action would not be taken lying down by the Congress Party which had an overwhelming majority in Parliament. Even the opposition parties would support the motion...I also sent another message. It is the Cabinet Secretary who signs the gazette notification regarding the appointment of a Prime Minister and the constitution of the Council of Ministers on his advice. My message was that I would not sign and issue any such notification as it would be unconstitutional and, therefore, against my conscience as the head of the Civil Service. He will, therefore, have to look for another Cabinet Secretary. I had kept Rajiv Gandhi informed of my message.

Rajiv Gandhi was too well mannered to talk crudely about Giani Zail Singh, despite being furious with him, but some of his colleagues, K.K. Tiwari and M.L. Fotedar talked in a most unseemly way about him even though he was the President. Tiwari, a Congress MP, made a statement in Parliament in April 1985 alleging the President's so-called links with Punjab extremists, two of whom had been permitted to stay in Rashtrapati Bhavan. The secretary to the President immediately issued a contradiction and Rajiv Gandhi denied that he had any part in this tirade against the President.

The imposition of Emergency

Not only senior officials (like PC Alexander, who continued to exercise authority even after admitting to himself that he had ceased to be Principal Secretary to the Prime Minister the moment Mrs Gandhi died) but the entire system seems to 'collude' in a spineless manner with political power manipulations, without respect for the democratic principles, propriety and even for the Constitution that they were bound to honour under oath.

In 'PMO Diary I - Prelude to the Emergency, 2002' Bishan Tandon²⁰ who was joint secretary in Prime Minister's Office under Indira Gandhi at the time, reveals shocking evidence that fearful of an adverse court verdict in the election petition against her Mrs. Gandhi did not turn to her party for advice but took a series of steps to subvert key established institutions including the Supreme Court, the bureaucracy, intelligence agencies, the autonomy of Lok Sabha Speaker, Election Commission et al.

For example, two years before the court verdict, she appointed A.N. Ray as the Chief Justice of the Supreme Court in 1973, on the head of three senior judges, Shelat, Hegde and Grover, in spite of President V.V. Giri's advice to the contrary. "She ignored him (Giri)" records Tandon, and that Gokhale (Law Minister) said in unequivocal terms that he was not happy with the decision and whatever had happened should not have happened. But, he said, the PM was adamant. In the end, he said that everyone had agreed that no risk should be taken in the PM's election case and that Hegde could not be 'trusted'.

On June 3, 1975 (nine days before the Allahabad High Court judgment), Gokhale met Mrs. Gandhi and afterwards, discussed her case with A.N. Ray, Chief Justice of India, who told him that "if the Allahabad High Court gave an adverse ruling, there should be no difficulty in getting an absolute stay." Tandon noted: "I keep thinking: had Hegde or one of those three been the Chief Justice, would Gokhale have had the temerity to speak to him?"

There was also growing public concern that in fighting exposures about Sanjay Gandhi's Maruti, Prime Minister set the police upon officers collecting information about its affairs.

20. Bishan Tandon, PMO Diary I-Prelude to the Emergency, 2002

Then she was resisting the demand in Parliament and outside, for a commission to enquire into L.N. Mishra's licensing scandals. The Lok Sabha Speaker was a crucial figure here. On December 9, 1974: Parliamentary Affairs Minister, Raghuramiah acting on the PM's instructions, met the Speaker (Mr. G.S. Dhillon) to request the Speaker not to give the ruling in favour of an enquiry. "The Speaker was furious. He upbraided Raghuramiah. He told Raghuramiah that he would not change his ruling.

When Raghuramiah reported the outcome, Mrs. Gandhi became very angry. She told Mr. Dhar (Principal Secretary to PM) that she was going to resign and that he should prepare a draft immediately. She said she was going to see the President right away, and added in a raised voice that "now there would either be a new PM or a new Speaker. The Speaker is refusing to appreciate the situation. How dare he refuse to listen to me?" The Speaker yielded.

Public discontent against Mrs. Gandhi was also mounting due to student agitations in Bihar and Gujarat demanding dissolution of the Assemblies and a call for fresh elections. Tandon records that she tried to play a trick and frustrate the Gujarat movement: "While privately, the decision was taken not to hold the elections till after the monsoon, the PM told the Home Minister to counsel the Election Commissioner that the government would write to him to hold the Gujarat election early but he should point out his own difficulties in doing so". The Chief Election Commissioner, T. Swaminathan, when presented the proposal, "became furious and refused to countenance the suggestion". In retaliation Mrs Gandhi withheld the appointment of A.N. Sen to the post of Deputy Chief Election Commissioner. "The PM said that she could not approve Sen's appointment because he was not on our side and he will not help us at all".

Mrs. Gandhi also scuttled the lawful decision-making forums of the Central Government and the Congress party to make them submit to her will and ways. To this end, an extra-constitutional command under Sanjay Gandhi was set up in the PM's House (bypassing the PMO) with her PA, R.K. Dhawan as its visible face. Investigative agencies,

broadcasting paraphernalia, the Delhi Government — Lt. Governor downwards, were all put under the thumb of this command.

On June 12, 1975 the news came (10.05 a.m.) that "Justice J.M. Sinha had set aside the PM's election and upholding the charges of corruption ... barred her from contesting any election for six years ... " By 10.30 a.m. "she had a whispering discussion with Dhawan and Sanjay after which Dhawan started telephoning people, to organise demonstrations in favour of the PM". The Haryana Chief Minister "issued orders from the PM's House that all deputy commissioners in Haryana should help organise these rallies".

Devendra Sen (CBI Director) told Tandon that "Sanjay had taken full control and everything in the PM's house was being done on his orders". The previous day, the director general of the Central Reserve Police Force (CRPF) was summoned and Sanjay "gave him orders on what the CRPF's deployment should be on the day of the Supreme Court's ruling". On June 21, 1975 she instructed that the radio and TV scripts of all news bulletins be shown to her before they were broadcast. She directed that "the proposed demonstration in front of Morarji's house to be properly highlighted". Mrs. Gandhi wanted to make a broadcast to the country on the radio. She was advised against it. "She lost her temper and said `I am the PM, can't I use even my radio and TV?'".

According to Pupul Jayakar, on the eve of her election as Prime Minister, Indira Gandhi wrote to her son Rajiv in London, quoting Robert Frost, "How hard it is to keep from being king when it is in you and the situation".

In the post Rajiv Gandhi period the autocratic functioning of the Congress party was further compounded. It was evidenced in the manner in which Narasimha Rao who headed the Congress

The Emergency 1975

Democracy had been hijacked to serve personal interests

The Emergency of 1975, imposed by Indira Gandhi, was like mumps or chicken pox on the body politic of India: you had to suffer from it once in order to become immune. If it had come later, it might have proved fatal.

The 1975 Emergency was imposed not because India was in danger but because Indira was in danger. The nation's reaction was stunned anger. Democracy had been hijacked to serve personal interests. It was the ultimate betrayal.

M.J. Akbar, Editor, The Asian Age, in India Today, December 26, 2005

Government at the centre, was served an ultimatum by the "High Command" (read Sonia Gandhi) to resign as Prime Minister by a fixed date and hour! And, later Party President Sitaram Kesari was forced by Sonia Gandhi to step down from office in which she stepped in.

III

Some promising developments

Some recent developments are recorded here which if pursued are good for the health of our democracy.

1) Radicalisation of the base of Indian democracy

The most striking phenomenon that has surfaced in recent years is the unprecedented process of radicalization of the polity at the base.

What is meant by radicalising the base of democracy? The answer is provided in a thought provoking paper: 'Local democracy and political parties'²¹ by Sandeep Shastri. Sitting in this paper is a seemingly harmless, quiet table:

Table: Representation to Different Castes in Karnataka Legislative Assembly and Local Bodies:

| Caste | Percentage of State Population | Percentage of Seats Won in the Assembly (1994) | Percentage of Seats Won in the Local Bodies (1994-95) |
|-----------------|--------------------------------|--|---|
| Lingayat | 15.3 | 28.57 | 17.0 |
| Vokkaliga | 10.8 | 24.11 | 16.0 |
| Brahmin | 3.5 | 4.46 | 2.5 |
| Scheduled Caste | 16.7 | 15.63 | 15.3 |
| Scheduled Tribe | 6.7 | 2.68 | 7.0 |
| Kuruba | 3.6 | 4.46 | 7.5 |
| Other OBC's | 29.1 | 17.41 | 29.5 |
| Minority | 14.3 | 2.68 | 5.2 |
| | 100.00 | 100.00 | 100.00 |

Source: For Legislature: Shastri, Towards Explaining the Voters Mandate, Bangalore; Vinayaka, 1994, pp. 54-57; Shastri, 'Twilight of Congress Hegemony: Emergence of a Bi-Polar Alliance System in Karnataka', Economic and Political Weekly, Aug-Sept 1999, 34; 34-35, pp. 2440-48. For Local Bodies: Subha K., Karnataka Panchayat Elections, 1995, New Delhi: Concept, 1997: 71.

21. Though there are examples of revolutionary social change at state level also they have not been so institutionalized as at the Panchyat level. Zoya Hasan, for instance points out "the erstwhile largest Indian state, Uttar Pradesh (UP), has been ruled more than once in the 1990s by parties and coalitions representing the backward castes and dalits clearly shows the silent revolution taking place through the ballot in India. Not only do these social groups have leaders and parties representing their cause, increasingly, national parties also resort to ethnic strategies of political mobilization to see their support and draw them out. [Zoya Hasan, 'Representation and Redistribution: The New Lower Caste Politics in North India', in Frankel et al. (eds), Transforming India, pp. 146-75].

As the table shows, the base is witnessing a revolutionary churning which is ushering in profound social changes. Shastri points to the impact of Panchayat elections (mandated by the 73rd/74th Constitution Amendments), referring to the dislodging of entrenched power positions of the two dominant communities namely the Lingayats and Vokkaligas in the political social landscape of Karnataka. Though the two communities have only a 26 percent presence in the state population, they have always managed in the past to capture and occupy a disproportionately higher number of seats in the Assembly. Often the number of seats annexed by them in the Assembly was twice their proportionate presence in the population.

For instance, in the 1994 elections, the proportion of seats they captured was 54 percent of the total seats in the State Assembly against their strength of only 26 percent of the total State population. Coincidentally, at around the same time (in 1994-95) Panchayat elections in Karnataka were held in first time as per the 73rd Amendment. In the Panchayat election the percentage share of total seats won by the Lingayats and Vokkaligas combined, dwindled sharply from 54 percent in the Assembly to 33 percent in the Panchayats, which closer to their presence in the population. The main reason for this decline in their share of seats is the statutory reservation in Panchayats of about 47 percent elective seats for disadvantaged sections – Women and the Scheduled Castes and Scheduled Tribes.

Hitherto one saw the potential of such reservation in theory, but here at last the intent is beginning to actualize. The hitherto seemingly unassailable dominance of higher castes – Lingayats and Vokkaligas, is being upturned by the Panchayat electoral process which though not revolutionary has cut their presence in elected bodies down to size. The electoral process has thus demonstrated its radical potential. It shows the power of local elections to effect social and political structures radically. This message is of profound import. The circumference of this message is larger than that of the territory of State of Karnataka, since the statutory reservations for scheduled castes and scheduled tribes in Panchayats apply to all of India. Also, these changes and trends are likely to endure our political-social base, given that 5-yearly elections to the Panchayats are now mandated by the Constitution and the Apex Court is insisting on compliance with this provision.

It also weakens frequent assertion of political pundits that in

the present electoral system the weak were not likely to inherit the earth. Clearly, if not for this radical change, wherein mandatory Panchayat elections have changed the structure of the Democratic base, the Indian polity would have continued to languish in the status given with some minor exceptions.

Consider Bihar. It has witnessed the occasional upsurge of social character: moving back and forth especially since the mid 70's from the time of Karpuri Thakur. But the resulting turbulence did not acquire a sustaining platform. According to Vandita Mishra, "In Bihar intense social churning has neither stilled nor delivered. It goes on and on, an end in itself, unwilling to transcend its own ineffectual motion".²²

A broader view of the Karnataka factor would show that the institutionalized and a relatively more equitable redistribution of political power is essentially a healthy, purposive and dynamic convulsion. It is not the source of instability or trouble in our polity. Rather it is addressing the sources of trouble, which have got entrenched over time and come to be mistaken for stability. They have gone generally unquestioned because each poll season we have been looking mainly at the aggregate electoral miracle, drawing comfort that the polity is well and secure at the hands of the "dumb" millions. Analysis similar to that above done by Shastri for Karnataka, could not be obtained for other states for this study, but it needs to be assembled and analysed regularly.

2. Reform of Parties

The emerging political-social developments in the Panchayat sphere are bound to have a welcome impact on the revitalization of political parties through internal pressure of increasing new members. Says Shastri "Finally, we must consider the impact of the establishment of a third tier of elective offices, the Panchayats, on renewal processes in the party system. The forces set in motion by the 73rd Amendment could act as a powerful impetus to renewal and reform. Innovations such as reservation of seats for women and the need for party cadres to campaign and contest in third tier elections are factors which would gradually impact party organizations at all levels. They impart a new dimension to federal democracy by vastly increasing the number of elective offices on offer. In the long run they can act as agents of renewal of parties through the induction of more active members in

22. Indian Express, "We don't talk anymore", February 11, 2005, Page 8

party organizations. However, this outcome would depend greatly on the extent to which intra-party democracy is allowed to develop and flourish. The track record of most parties is extremely patchy in this regard.”

However the recent changes in electoral sphere have yet to moderate significantly the highly centralised command structure of the political parties. As of now, effective political power and decision-making in the political parties remains concentrated in fewer hands. Often these hands are mainly from communities who are otherwise being dislodged, as noticed, at the grassroot level by panchayat elections. It is an unreal and unhealthy situation for an adult-franchised based democratic polity. It is certain however that over time cracks are bound to loosen this 'command' crust letting the gains in our political parties.

It is pertinent to have a regular analysis of the composition of the highest decision-making bodies of the major political parties – of what they call working committee or parliamentary boards etc. The composition of these bodies needs to be scanned in terms of how 'representative' the members of these bodies are of the various segments of the population of that area and/or their membership. Presently, most parties are resorting to the autocratic process of 'nomination from above' without the participation of rank and file which can suppress the true grain of their membership. The results of such an analysis can help the rank and file of the parties to demand that the decision-making fora of the political parties are constituted by an open transparent process and become generally representative of the membership of the parties.

3. Arrival of large numbers of women on the political scene

More than a million women have been elected to Panchayats. This is a huge number. They have become conscious of their power. They, of course, do not depend entirely on the arrival of intra-party democracy to give them a space. They have acquired experience and self-confidence and are creating a place for themselves. Here a view from Kerala: ²³

The state planning board of Kerala had done a comparative assessment of the self perceptions of women representatives

23. Sharda Muralidharan, “The significance of panchayati raj to women”, paper prepared for SSF (Singamma Srinivasan Foundation), 13th February 2005, Bangalore

when they were newcomers into governance and four years later when they had experienced the twists and turns of administration. The contrast in the confidence levels of the women representatives was phenomenal. From a starting scenario of confidence levels of 20 to 30%, the proportion of women who felt they had the requisite skills of public speaking, knowledge of laws and procedures, control over officials and ability to intervene in the statutory committees shot up to 70 to 80%. There has also been a tendency for women who have done well in their first stint as elected representatives to contest in open seats as well.

Women who have acquired political and administrative experience through the panchayat raj institutions have slowly begun to enter their parent political parties, if only because of the expediency to have requisite candidates with the potential of winning the contested seats.

Even the women who are unable to contest elections because of the rotation of reserved constituencies try to retain the political identity they have created for themselves, and seek spaces for intervention.

4. Election Commission

It is the manner of functioning of political parties and intra-party, which could ensure the quality and character of candidates nominated by them to various legislatures. That is the need of the hour. The Chief Election Commissioner T S Krishnamurthy has warned that, "those with criminal background were contesting elections and as a result law-breakers were gaining the upper hand in law making. The continuance of democracy was endangered by money power, muscle power and corruption".

The Election Commission is also keeping active civil society groups constantly informed of the challenges. Consider for example, the following address by Chief Election Commissioner Shri Tandon.²⁴

"I am extremely happy and honoured to be addressing this valedictory session of the third National Conference on Electoral Reforms. I must compliment ADR and Lok Samvad

24. Third National Conference on Electoral Reforms, Organised by ADR and Lok Samvad, Valedictory Address by Sh. B.B. Tandon, Chief Election Commissioner of India, December 12th, 2006, Patna

for organizing this conference with equal enthusiasm as the earlier two held at Ahmedabad and Bangalore. I am grateful to them for giving me this opportunity to share some of my thoughts with you all.

"I would sincerely like to acknowledge the role played by these two organizations and civil society during the last few elections. When I speak of civil society, I mean organized groups, institutions – voluntary and self-reliant – that are independent of the State. These include NGOs like ADR and Lok Samvad, independent mass media, both electronic and print, think tanks, social activists and social groups.

"Although we are recognized as the largest successful democracy in the world, we are yet to become the ideal democracy. We are yet to perfect our democratic and electoral systems. It is, however, heartening that with every successive election, the electoral systems are getting better and democratic values strengthened.

"No democracy can function in a free and fair manner unless the election procedures and systems ensure a level playing field. For the purpose, it would need a totally independent electoral authority, which we have under our Constitution, and active civil society institutions which can keep a watch on the whole electoral process.

"Starting from Gujarat elections, 2002 to the recently concluded Bihar elections, 2005, one could feel the vibrant role played by various NGOs in the conduct of elections. A good beginning has been made, yet a long way is to be covered. Fresh ideas will have to flow, new experiments will have to be made – new institutions will be required to be created. We all must work together towards the common goal of a perfect democracy – if not perfect, a nearly perfect democracy. Today masses look for civil society leaders like you who can give voice to their feelings.

"It was at the initiative of ADR that today, after a great deal of protracted legal battle, all candidates at the time of filing their nominations are required to disclose their antecedents including the criminal past and cases pending against them, assets and liabilities, educational qualifications for the benefit of electors to enable them make their informed choice.

"Statistics compiled by ADR reveal that in the General Elections to Lok Sabha 2004, out of 3182 candidates surveyed, 518, i.e. 16.28 percent cutting across all major political parties had criminal antecedents. Out of this, the study revealed that nearly 115 made it to the Lok Sabha. Strictly, as per law, disqualification to contest an election arises only after conviction. But due to the lengthy legal procedures, persons who have been charged with grave and heinous offences, remain free to contest till they are convicted and their appeals are finally disposed of. Thus, the existing legal provisions have been found inadequate to meet this menace. As a part of its electoral reforms proposal, the Election Commission has suggested that any person, who is accused of serious criminal offences and where the Court is, *prima facie*, satisfied about his involvement in the crime and consequently framed charges against him, should not be allowed to contest an election till he is cleared of such charges by the Court.

"The Commission has been taking new initiatives from time to time to make improvements in the electoral system on a continuing basis. In this process, the Commission values and welcomes the ideas from any member of the society. It was the suggestion of the Mazdoor Kisan Shakti Sangthan, (Smt. Aruna Roy), Rajasthan that electoral rolls should be read in the meetings of Gram Sabhas and local bodies so that people can participate actively in the process of preparation of electoral rolls. Today reading of rolls in Gram Sabhas and local bodies is an integral part of the electoral rolls revision process. This step has greatly helped in our efforts to make the electoral roll error-free to the extent possible.

"For any good election, a good electoral roll is a pre-requisite. In such a roll, the names of all eligible electors should find place. I needless say, that there should not be any dead or shifted voter's name or duplicate name in the roll. The Commission has been laying a lot of stress on cleaning the electoral rolls since the last few elections. We started this exercise in Andhra Pradesh a few years back for the first time and in the last Bihar elections, this effort showed spectacular results, due to e-cleaning of rolls. While there is an effort to remove duplicate entries and names of dead and shifted voters, let me assure you that no name is deleted without

proper verification. A name is deleted from the rolls only after giving due notice. While on one hand, we lay stress upon deletion of names of dead, shifted voters and duplicate entries, on the other; we lay equal emphasis on inclusion of the names of genuine voters. The Commission takes strong action against those officers who do not allow enrolment of genuine voters or enroll non-eligible persons.

"It was Action for Good Governance and Networking in India (AGNI), which came forward to help the Commission to cleanse the electoral rolls in Mumbai and later Janaagraha for doing the electoral roll audit in Karnataka to ensure that only eligible persons find their names in the electors list. The Commission highly values such initiatives of the NGOs.

"Today for the Commission dwindling percentage of electors that come to vote is a major cause of concern. The electors do not come to vote either because of lethargy, indifference, preoccupation or intimidation. We have to make them understand that it is their own cause that is served by exercise of their franchise. I would urge civil institutions to take up the programme of "voter education and awareness" in a big way.

"The elector's education has been a neglected field. Some of the vested interests try to mislead the electors by giving wrong information. A classic case is of Chhattisgarh where electors were told that if they will go to vote, they will be struck by the electric current while operating EVMs. EVMs run on battery – how can it give electric shock? We must make electors aware about the electoral process.

To conclude, at the ground level the political arena is witnessing radical resurgence of dispossessed groups like the Dalits and others who are in revolt against social oppression. They are now not only raising their voice but are stamping the ballot papers in sufficient numbers to make their presence felt in the political institutional forums - the Parliament, the State Assemblies, the Panchayat Institutions and Municipalities.

5. Electoral Rolls

While Election Commission is doing what it can to improve electoral rolls, the task is stupendous and needs massive support from civil society. **Vote India**, for example, is a national campaign for

political reforms launched by like minded civil society groups and individuals dedicated to be a better democracy. **Vote India** is about collective, citizens' assertion for changing the nature of our democracy. The Vote India movement has been launched in several major cities of India – Bangalore, Chennai, Mumbai, Delhi, Kolkata, Ahmedabad, Pune, Lucknow, Patna and Hyderabad. In each city, local civil society partners will support the Vote India activities.

The first campaign of Vote India was to mobilize citizens at the grassroots level to participate in improving the integrity of the voters' lists, and was launched in Bangalore by the Chief Election Commissioner, Sri T S Krishnamurthy on April 15, 2005.

Issues needing greater attention

However there are serious issues affecting the quality of electoral process which are not being given due attention.

1) The foremost is funding of elections by the State. It is argued that this is riddled with problems. Hence no solution has emerged.

In looking for solutions, we must first choose the principles. What is the principle involved in State funding of elections? In the early 90's when South Africa became free and opted for a democratic parliament based on adult franchise, its great leader Nelson Mandela opined that "If the elections are not for private but public purpose, the public (State) should pay for it and not allow private expenditure".

As for our current electoral scene, private expenditure rules, creating havoc in the very fabric of democracy. It distorts free choices and breeds corruption. This issue can not be disposed off by provisions of some non-cash facilities as envisaged by the union cabinet. Cash will continue to pour in from private sources with all its attendant evil practices and distortions.

The answer lies in a complete ban on private funding of elections to the legislatures and its wholesale replacement by state funding. The problem is not the cost. What should worry us is the cost in terms of molestation of the democratic polity inherent in private funding. Just consider the findings and concerns highlighted in a recent Public Affairs Centre (PAC) paper: Holding a Mirror to the New 2004 Lok Sabha:

- Nearly one fourth of the 541 members of Parliament (MPs)

elected in 2004 have criminal cases framed against them in a court of law. All the major political parties have MPs with such criminal charges.

- Over fifty per cent of the MPs with the most serious criminal cases happen to be from four states, Uttar Pradesh, Bihar, Jharkhand and Madhya Pradesh. Among the political parties in these states, the regional parties account for a majority of the MPs with serious criminal cases.
- Money is truly a barrier to entry in the political arena. The average assets of an MP is Rs. 1.64 crores (\$366000), and a majority of MPs are multimillionaires. There are variations among political parties, with the Indian National Congress leading the pack in terms of asset power. The two communist parties are at the other end of the spectrum.

Indeed, the disturbing implications of this phenomenon have been highlighted by many over the years "the rising cost of elections, the use of black money and muscle power, utter disregard amongst political parties, leaders and candidates for the rule of law, criminalisation of politics and politicization of crime, increasing number of candidates and elected representatives with alleged criminal antecedents, etc., have had a corrosive influence on Indian democracy, polity and society."²⁵

It is known that much of private funding is unaccounted black money which ordinarily should have been flowing through the treasury channels. Thus so called private funding is money which should have landed in the treasury, but is being siphoned off. It is thus in essence public funding.

The issues involved go beyond funding. For example, Madhav Godbole presents a comprehensive review of issues and suggestions. "He sees merit in incorporating 'a proper and sustainable framework' for political parties in the Constitution on the line of Article 21 of the German Basic Law. Considering the proliferation of political parties with the disintegration and degeneration of the Congress as a mega-coalition, or a catch-all party and the failure of any other party to rise to that status, he underlines the need for 'a proper Constitutional and legislative framework' to deal with emerging distortions both in the

25. Ajay Mehra, *ibid*

electoral framework and the organizational framework of the parties.

Admitting that corruption in the political sphere was a matter of grave concern in the country, Prime Minister Manmohan Singh has called for a national consensus to ensure greater transparency in the financing of political parties and election spending.²⁶

Observing that the funding of political parties was a major avenue for the funneling of black money, Singh said that issues like State funding of elections should be placed on the national agenda so as to tackle corruption in politics.

Thus what is needed is a decision to provide for total State funding of elections and simultaneously prohibition on private funding altogether.

As for operationalisation of State funding, a systems approach should be evolved to work out the detailed procedure for such funding, the required safeguards and process of periodic review and upgrading the arrangements. A Statutory Board for State Funding could be set up in consultation and conjunction with the Election Commission. A standing advisory panel with representatives of all recognized political parties and some from the society at large could assist the Board in its task as well as for periodic review and improvements.

6) Response by Government to Election Commission

The recommendations for electoral reforms made by the Election Commission to the Prime Minister / Law Minister from time to time must be responded to promptly. As a publication of Election Commission shows a number of these have been pending for several years. This is unacceptable. Here the President of India should call for a quarterly progress report from the Government on the decisions regarding EC recommendations. If for six months, there is no response from Government; EC should be empowered by Parliament to take a final decision.

Besides, EC should itself put publish in the Internet the status of its recommendations for public knowledge. Additionally all reports / returns filed by recognized political parties periodically, and status of mandatory disclosures by candidates at the time of filing their nomination papers should be made public.

26. The New Sunday Express, February 13, 2005

7) Political Parties and Transparency

To enhance public knowledge and confidence in them, the political parties on their own volition should put on the internet, periodically, vital information e.g. about:

Their membership; election of their office-bearers / designated decision making bodies like Parliamentary boards; process of selection of party candidates; implementation of Manifesto if the party is holding office ; annual reports and audited accounts.

To conclude, celebrating Indian democracy because of India's electoral experience is welcome and valid. But beyond that salutation to the Indian voter, there is the serious decay of the instruments and processes that define and propel democratic governance in accord with the underlying principles. One such significant instrument is the political party, which as the study shows is in dire need of urgent and full scale re-vitalization.

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Shri L.C. Jain was known as a fierce opponent of overwhelming state control, and an equally fierce advocate for social action. His efforts to keep alive the legacy of the freedom struggle through the intervention of civil society led to him being awarded the Magsaysay Award in 1988. Much of the first phase of his entry into public life was spent working on cherished Nehruvian projects and was a member of the Planning Commission where he served from 1989 to 1990. But it was Mohandas Karamchand Gandhi who remained a beacon throughout his career, guiding and illuminating his responses. It is this association that led him to accept one of his few forays into official life, as High Commissioner to South Africa, where he plunged into that country's own struggles to build an inclusive society. He remained an ardent advocate of the need to focus on human concerns and the needs of the vulnerable and the marginalized.